

**HAGENS BERMAN**

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January 10, 2022

VIA ECF

Honorable Debra C. Freeman
Magistrate Judge
United States District Court
Southern District of New York
Daniel Patrick Moynihan U.S. Courthouse
500 Pearl St.
New York, NY 10007-1312

Re: *In Re Amazon.com, Inc. eBook Antitrust Litigation*, 1:21-cv-00351 (*eBooks*);
Bookends & Beginnings LLC v. Amazon, et al., 1: 21-cv-02584 (*Bookends*)

Dear Judge Freeman:

Plaintiffs in the above referenced related proposed class actions submit this letter requesting that the Court enter the parties' stipulated proposed protective order [ECF 119]¹ and stipulated proposed discovery protocol [ECF 121] and allow discovery to proceed.

The parties held their 26(f) conferences last summer. ECF 82. As agreed, while the Defendants' motion to stay discovery was pending, Plaintiffs served discovery requests on Defendants. ECF 91. On October 7, 2021, the Court denied Defendants' stay motion, and the parties subsequently filed their proposed protective order and discovery protocol order. In meeting and conferring with Plaintiffs, Defendants have uniformly cited to the absence of a protective order as one basis for not producing the requested discovery. The entry of the proposed discovery protocol would also greatly simplify production and narrow potential bases for disagreement between the parties.

¹ For ease of reference, Plaintiffs cite only ECF docket numbers in the *eBooks* case. The parties filed the same proposed protective order and discovery protocol in *Bookends*. ECF 100; ECF 102.

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Plaintiffs therefore respectfully request that the Court enter the parties' stipulations and allow discovery to proceed.

Sincerely,

HAGENS BERMAN SOBOL SHAPIRO LLP



Steve W. Berman

*Interim Lead Counsel for EBooks Plaintiffs and
Counsel for Plaintiff Bookends & Beginnings*

SWB:bam
cc: All Counsel of Record (via ECF)